

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, JULY 7, 2010 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Tess Nguyen, Andrew Gonzales, Judy Demers (recording secretary)

**MINUTES:** **NONE**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2010-008/ TEMPORARY USE PERMIT NO. 2010-003 (THE STRAND OUTDOOR YOGA CLASSES)**

APPLICANT: Jen Orsi, CIM Group  
PROPERTY OWNER: CIM Group, 155 5<sup>th</sup> Street, Huntington Beach, CA 92648  
REQUEST: **CDP:** To permit the temporary closure of 5<sup>th</sup> Street every Friday, from 8:00 AM to 1:00 PM, between Pacific Coast Highway and Walnut Avenue, commencing Memorial Day weekend to Labor Day weekend; **TUP:** To permit the establishment of outdoor yoga classes for a period of five years (2010-2014) along 5<sup>th</sup> Street..  
LOCATION: 5<sup>th</sup> Street, 92648 (between Pacific Coast Highway and Walnut Avenue)  
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Nguyen stated that staff had received one letter in opposition to the project citing concerns with parking, impact to the flow of traffic, and the 5 year time frame of the permit.

**THE PUBLIC HEARING WAS OPENED.**

Jen Orsi, applicant, stated that she had no comments or concerns about the request.

Nova Punongbayan, Economic Development, stated that a parking study had been completed and found no parking issues for this location.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

**COASTAL DEVELOPMENT PERMIT NO. 2010-008/TEMPORARY USE PERMIT NO. 2010-003 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND MODIFIED CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because minor temporary use of land having negligible or no permanent effects on the environment is exempt from further environmental review.

**FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2010-008:**

1. Coastal Development Permit No. 2010-008 to permit the temporary closure of 5<sup>th</sup> Street every Friday, from 8:00 AM to 1:00 PM, between Pacific Coast Highway and Walnut Avenue, commencing Memorial Day weekend to Labor Day weekend, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Land Use policies:

Policy - C 1.1.6: Temporary and seasonal activities within the coastal zone which do not qualify as exempt activities pursuant to the Coastal Commission's guidelines adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall be monitored and regulated through the coastal development permit process to protect coastal resources from adverse impacts associated with the seasonal or temporary activities.

Policy - C 3.2.1: Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.

Policy - C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the "hubs" of tourist and community activity.

The proposed outdoor yoga classes will attract tourists and Huntington Beach residents to Fifth Street reinforcing Downtown Huntington Beach as a "hub" of community activity. The weekly event increases and enhances recreational opportunities in the coastal zone by providing public recreational and community activities.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and Municipal Code. The outdoor yoga classes will not involve the construction of permanent structures. Adequate pedestrian access will be provided during yoga operations and will maintain minimum aisle widths for purposes of emergency access.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The event will temporarily

occupy a portion of an existing roadway for yoga operations. Adequate infrastructure exists onsite for the proposed use, and will require no additional infrastructure beyond which already exists.

4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. All public access will remain to the beach and pier area.

#### **FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2010-003:**

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The temporary use permit will be compatible with the surrounding uses because the event is temporary in nature and is consistent with the character of the area. It will not alter the existing property or physical improvements in the surrounding area.
2. Approval of the application for the temporary closure of Fifth Street every Friday, from 8:00 AM to 1:00 PM, between Pacific Coast Highway and Walnut Avenue, to allow for outdoor yoga classes for a period of five years will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The applicant will provide adequate traffic controls and security measures to mitigate potential impacts to the surrounding area. Traffic barricades will be placed to block 5<sup>th</sup> Street from vehicular traffic. Signage will also be posted in front of traffic barricades and parked cars to notify vehicular traffic of the event.

#### **CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2010-008 /TEMPORARY USE PERMIT NO. 2010-003:**

1. The site plans received and dated May 19, 2010 shall be the conceptually approved design.
2. Traffic Control for the event shall be provided in accordance with all Public Works, Police, and Fire Department requirements for access, circulation and protection of the public. The applicant shall install signage on Pacific Coast Highway prohibiting right turns into Fifth Street. All signs shall be promptly removed at the end of each class. (PW)
3. The Director of Planning and Building ensures that all conditions of approval herein are complied with. At the discretion of the Directors of Public Works and Planning and Building, the conditions of approval contained herein may be modified. The Director of Planning and Building shall be notified in writing if any changes to the site plan and list of activities are proposed as a result of the ongoing operation and oversight of the event.

#### **INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**NON-PUBLIC ITEM:**

**ITEM 2: REQUEST FOR HEARING TO RECONSIDER CONDITIONAL USE PERMIT NO. 2010-011/ COASTAL DEVELOPMENT PERMIT NO. 2010-009 (MAIN PROMENADE & PLAZA ALMERIA VALET PARKING)**

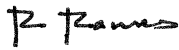
APPLICANT: City of Huntington Beach, Economic Development Department  
PROPERTY OWNER: JT Development Company, LLC, 15272 Bolsa Chica Street, Unit 101, Huntington Beach, CA 92649 (301 Main Street), City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648  
REQUEST: **CDP:** To permit the temporary closure of 5<sup>th</sup> Street every Friday, from 8:00 AM to 1:00 PM, between Pacific Coast Highway and Walnut Avenue, commencing Memorial Day weekend to Labor Day weekend; **TUP:** To permit the establishment of outdoor yoga classes for a period of five years (2010-2014) along 5<sup>th</sup> Street..  
LOCATION: 200 Main Street, 92648 (east of Main Street, south of Olive Avenue) & 301 Main Street, 92648 (west of Main Street, north of Olive Avenue)  
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Associate Planner, stated that new information has been received regarding the approval made by the Zoning Administrator on June 23, 2010. Based on the new information staff is requesting a hearing for reconsideration. Staff recommended that the item be scheduled for the August 4, 2010, Zoning Administrator meeting.

**AS THIS IS A NON-PUBLIC ITEM, THE PUBLIC HEARING WAS NOT OPENED.**

**RECONSIDERATION OF CONDITIONAL USE PERMIT NO. 2010-011/COASTAL DEVELOPMENT NO. 2010-009 WAS APPROVED BY THE ZONING ADMINISTRATOR**

**THE MEETING WAS ADJOURNED AT 1:48PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JULY 21, 2010, AT 1:30 PM.**

  
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Ricky Ramos  
Zoning Administrator

RR:JD